

Susan A. Musser, DC Bar # 1531486
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Attorney for Plaintiff Federal Trade Commission

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

FEDERAL TRADE COMMISSION,
STATE OF ARIZONA,
STATE OF CALIFORNIA,
DISTRICT OF COLUMBIA,
STATE OF ILLINOIS,
STATE OF MARYLAND,
STATE OF NEVADA,
STATE OF NEW MEXICO,
STATE OF OREGON, and
STATE OF WYOMING,

Plaintiffs,

v.

THE KROGER COMPANY and
ALBERTSONS COMPANIES, INC.,

Defendants.

Case No.: 3:24-cv-00347-AN

**DECLARATION OF SUSAN A.
MUSSER IN SUPPORT OF
MEMORANDUM OF LAW IN
SUPPORT OF PLAINTIFFS'
PRELIMINARY INJUNCTION
MOTION**

I, Susan A. Musser, declare as follows:

1. I am Chief Trial Counsel for the Federal Trade Commission Bureau of Competition. I am over the age of 18 and counsel of record for Plaintiff Federal Trade Commission in the above-captioned action. I make this declaration based on personal

MUSSER DECLARATION

knowledge. I make this declaration in support of the Memorandum of Law in Support of Plaintiffs' Preliminary Injunction Motion.

2. Attached to this Declaration as Exhibits DX0952 through PX12686 are true and correct copies of the documents listed in the following table:

DX0952	PX1420	PX3077	PX4044	PX4113	PX7004
DX2304	PX1573	PX3106	PX4045	PX4114	PX7006
DX2493	PX1641	PX3112	PX4046	PX4116	PX7008
DX2494	PX1654	PX3115	PX4050	PX4120	PX7010
DX2495	PX1654B	PX3128	PX4054	PX4126	PX7011
DX2497	PX2148	PX3406	PX4055	PX4135	PX10007
PX1040	PX2151	PX3421	PX4056	PX4136	PX11252
PX1109	PX2157	PX3602	PX4058	PX4138	PX11257
PX1110	PX2252	PX3775	PX4059	PX4140	PX11276
PX1115	PX2257	PX3776	PX4060	PX4141	PX12029
PX1123	PX2315	PX3948	PX4062	PX4143	PX12380
PX1125	PX2322	PX3956	PX4063	PX4144	PX12392
PX1130	PX2412	PX4010	PX4065	PX4149	PX12450
PX1154	PX2419	PX4011	PX4069	PX5003	PX12673
PX1164	PX2423	PX4014	PX4071	PX5006	PX12686
PX1180	PX2434	PX4015	PX4072	PX5009	
PX1232	PX2441	PX4016	PX4074	PX5010	
PX1240	PX2446	PX4017	PX4075	PX5011	
PX1244	PX2464	PX4018	PX4080	PX5012	
PX1247	PX2478	PX4021	PX4081	PX5014	
PX1249	PX2480	PX4022	PX4083	PX5016	
PX1272	PX2484	PX4024	PX4084	PX5019	
PX1274	PX2490	PX4025	PX4088	PX6001	
PX1281	PX2492	PX4026	PX4089	PX6002	
PX1282	PX2505	PX4027	PX4090	PX6004	
PX1286	PX2545	PX4028	PX4091	PX6009	
PX1291	PX2613	PX4029	PX4095	PX6010	
PX1292	PX2614	PX4030	PX4096	PX6030	
PX1303	PX2615	PX4031	PX4097	PX6084	
PX1308	PX2616	PX4032	PX4101	PX6153	
PX1310	PX2670	PX4034	PX4104	PX6166	
PX1358	PX2777	PX4035	PX4107	PX6253	
PX1361	PX2783	PX4039	PX4109	PX6287	
PX1368	PX2932	PX4040	PX4110	PX6680	
PX1372	PX3068	PX4042	PX4111	PX6681	
PX1381	PX3069	PX4043	PX4112	PX7002	

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 26, 2024, in Portland, OR.

/s/ Susan A. Musser

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